



**KENTUCKIANA**  
— COURT REPORTERS —

**Case No. 21-cv-00969-LA**

**JOHN HUBER, in his individual capacity and as Personal  
Representative of the ESTATE OF ANTHONY HUBER**

**vs.**

**DAVID G. BETH, in his individual and official capacity  
as Kenosha County Sheriff, et al.**

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**Case No. 21-cv-001192-LA**

**(Consolidated with Case No. 21-cv-00969-LA)**

**PAUL HENRY PREDIGER vs. THE CITY OF KENOSHA, et al.**

**DEPONENT: KEVIN MATHEWSON**

**DATE: July 24, 2025**



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1                   IN THE UNITED STATES DISTRICT COURT  
2                   EASTERN DISTRICT OF WISCONSIN  
3                   MILWAUKEE DIVISION

4                   -----  
5                   JOHN HUBER, in his individual capacity  
6                   and as Personal Representative of the  
7                   ESTATE OF ANTHONY HUBER,  
8

9                   Plaintiff,                   Case No. 21-cv-00969-LA

10                  vs.

11                  DAVID G. BETH, in his individual and  
12                  official capacity as Kenosha County  
13                  Sheriff, et al.,  
14

15                  Defendants.  
16                  -----

17                  PAUL HENRY PREDIGER,  
18

19                  Plaintiff,                   Case No. 21-cv-001192-LA

20                  vs.                           (Consolidated with Case No.  
21   21-cv-00969-LA)

22                  THE CITY OF KENOSHA, et al.,  
23

24                  Defendants.  
25                  -----

26                               \*       \*       \*       \*       \*

27                   VIDEO DEPOSITION OF KEVIN MATHEWSON

28                   TAKEN ON THE 24TH OF JULY, 2025

29                               VIA ZOOM

30                               10:00 A.M.

31                               \*       \*       \*       \*       \*

32                   Taken before Kimberly R. Collins, RMR, CRR



1 So other -- other than that, I'd just be guessing.

2 Q Okay. About how many days did you contact -- ago  
3 did you contact him?

4 A It would have been shortly after I received the  
5 subpoena.

6 Q Okay. At any rate, you have the chief's cell phone  
7 number, is that fair?

8 MS. UWABERA: Object to form, foundation.

9 BY MR. RALLINS:

10 Q You can answer.

11 A Yes. Yes, I do.

12 Q And I know you don't remember whether or not you  
13 contacted him via cell phone or on the office phone  
14 when you contacted him in reference to this upcoming  
15 deposition, but you've called him on the cell phone  
16 before, correct?

17 MS. UWABERA: Form.

18 A Yes, that's correct.

19 BY MR. RALLINS:

20 Q Okay. And you've exchanged text messages with him  
21 on the phone before, correct?

22 MS. UWABERA: Same objection.

23 A Yes, sir.

24 BY MR. RALLINS:

25 Q Okay. You were an alderman in the City of Kenosha



1 previously, correct?

2 A Yes, sir.

3 Q Okay. And can you tell us the time frame by which  
4 you were an alderman?

5 A Yes, sir. I was -- tell me if my pauses are too  
6 long. I don't want to delay, I just want to make  
7 sure.

8 Q It's slightly long but you're doing excellent, but  
9 you don't have to take -- you don't have to wait  
10 that long. I think --

11 A Okay.

12 Q -- you can just answer.

13 A I was elected in 2012 for a two-year term. I was  
14 defeated in 2014, and I rematched in 2016 and  
15 secured another two-year term. And then I moved to  
16 a different municipality.

17 Q Okay. So you were an alderman between 2012 and 2014  
18 for the first term and then you were an alderman  
19 between 2016 and 2018 for the second term,  
20 correct?

21 A I believe my second term I left in 2017, but I'm not  
22 100 percent sure. I left earlier than my term would  
23 have expired.

24 Q Okay. You were -- your second term was between 2016  
25 and 2017 or leading up to 2018, correct?



1 A That sounds right, yes.

2 Q Now, as an alderman, can you describe your  
3 relationship with -- well, strike that. As an  
4 alderman, did you have any authority over the  
5 Chicago -- I mean the Kenosha Police Department?

6 MS. UWABERA: Object to form.

7 A No direct -- I'm sorry, no direct authority. The  
8 common council, the City Council speaks with one  
9 voice so everything we do, whether it controls the  
10 police department's budget or change policy has to  
11 be done with a majority vote. So I'm just -- I was  
12 one of 17 members. So I didn't have any direct  
13 authority over the police department but indirect  
14 as -- as a vote.

15 BY MR. RALLINS:

16 Q Sure. But the City Council had authority over the  
17 Kenosha Police Department's budget and could change  
18 policy within the Chicago -- within the Kenosha  
19 Police Department, correct?

20 MS. UWABERA: Same objection.

21 A You know, I take that back. I don't know if we can  
22 control -- we could control police department  
23 policy; but we could write ordinances and  
24 resolutions that govern general city policy; but  
25 specific to police department policy, I'm not 100



1 percent sure if we had that authority.

2 BY MR. RALLINS:

3 **Q You don't recall voting about any ordinances related**  
4 **to the Kenosha Police Department?**

5 A Specifically, no. I know that I brought forward,  
6 for example, a resolution to place money in the  
7 budget for body worn cameras back in 2014, I  
8 believe. I don't know if that would be considered a  
9 policy. It would have just been a budget amendment  
10 to fund the body worn cameras.

11 **Q Okay. At any rate, the City Council had approved**  
12 **the budget for the Kenosha Police Department,**  
13 **correct?**

14 MS. UWABERA: Object to form.

15 A That is correct.

16 BY MR. RALLINS:

17 **Q Why did you move for the resolution to create body**  
18 **cameras for officers within the Kenosha Police**  
19 **Department?**

20 A I was and still am a very big proponent of holding  
21 law enforcement officers accountable. While I  
22 support them, I think that more oversight and  
23 transparency is a -- is a good thing.

24 **Q And when you proposed the resolution, do you recall**  
25 **any position the Kenosha Police Department took on**



1       **the proposal for body cameras?**

2               MS. UWABERA: Object to form.

3   A   That's a good question. I believe it was  
4       universally rejected by all of my colleagues. I  
5       think the police chief at the time was John  
6       Morrissey. He completely was against them. The  
7       mayor at that time was against them. He kept moving  
8       them later into the budget over and over. I think I  
9       was on an island as far as I remember.

10       BY MR. RALLINS:

11   Q   **And at any point prior to the Kenosha Protest, do**  
12       **you recall -- strike that. At any point prior to**  
13       **the Kenosha Protest, do you recall Chief Miskinis**  
14       **becoming a proponent of body worn cameras?**

15               MS. UWABERA: Object to form.

16       BY MR. RALLINS:

17   Q   **You can answer.**

18   A   I remember -- I remember having conversations with  
19       him about body worn cameras and I believe -- I -- I  
20       interpreted his comments as political. In other  
21       words, I didn't think he was being candid. He said  
22       something like I support the idea of body cameras  
23       but they're just too expensive or something. I  
24       looked at it as an excuse not to have them.

25   Q   **All right. And you are aware officers weren't**



1 questions. Spoken on the phone dozens of times and  
2 had maybe a handful of -- of meetings in person  
3 outside of the police department, it was just me --  
4 him and I.

5 **Q Okay. And similar to the current chief, you have**  
6 **spoken to Chief Miskinis on his cell phone, correct?**

7 MS. UWABERA: Object to form, foundation.

8 A Yes, I have.

9 BY MR. RALLINS:

10 **Q Okay. And you -- you've exchanged text messages**  
11 **with him on his cell phone, just like you've**  
12 **exchanged text messages with the current chief,**  
13 **correct?**

14 MS. UWABERA: Same objections.

15 A Yes, that is correct. Although it wasn't very -- it  
16 wasn't very often.

17 BY MR. RALLINS:

18 **Q Okay.**

19 A It was kind of a -- he was kind of a drier guy, no  
20 offense. He was just very methodic and an  
21 introvert.

22 **Q Okay. Tell me about your in-person meetings with**  
23 **Chief Miskinis where it was just you and him.**

24 A Usually --

25 MS. UWABERA: Form.





1 A I'm sorry.

2 MS. UWABERA: Go ahead.

3 A There's a little delay. Sorry I'm talking over you.  
4 They usually would have been about cops doing stupid  
5 stuff and me trying to figure out what he's going to  
6 do about it.

7 BY MR. RALLINS:

8 Q Okay. And where would you meet with Chief  
9 Miskinis?

10 A I believe most of our meetings were at McDonald's in  
11 Somers, Washington and Green Bay Road.

12 Q Okay. And would you say you -- you met with Chief  
13 Miskinis at the McDonald's more than five times?

14 A I would say about five times.

15 Q Okay.

16 A It could be one more, it could be one or two less.

17 Q Okay. And were all of these meetings before the  
18 Kenosha Protest?

19 A Yes, sir.

20 Q Okay. And when you'd complain to -- or strike that.  
21 When you questioned Chief Miskinis about police  
22 misconduct at these meetings, what was his  
23 response?

24 MS. UWABERA: Object to form, foundation,  
25 misstates prior testimony.



1 BY MR. RALLINS:

2 **Q You can answer.**

3 MS. UWABERA: You can answer.

4 A I believe usually -- usually there would be  
5 justification excuses. Sometimes he'd -- you know,  
6 there was a couple of times where I really think  
7 he -- he made terrible choices as far as personnel,  
8 and usually he'd try to tell me his side of things  
9 and sometimes he just wouldn't talk about certain  
10 cases.

11 BY MR. RALLINS:

12 **Q Okay. Do you still have the number you used to**  
13 **contact Chief Miskinis?**

14 MS. UWABERA: Object to form.

15 BY MR. RALLINS:

16 **Q If you do, I'm just going to ask that during a**  
17 **break, if we take a break, rather than sending a**  
18 **subpoena, find out whether or not you -- you have**  
19 **the number and then -- and then we can go from**  
20 **there.**

21 A So actually -- oops.

22 **Q No, go ahead.**

23 A Actually, the number that I had for the chief then  
24 was transferred to the next chief.

25 **Q Okay.**



1 A That was Eric Larsen. I actually looked recently  
2 and -- so yeah, I do have the number that I used to  
3 text him, I believe.

4 Q Okay. During a break I'm going to ask that you --  
5 you give that number and you can just state it over  
6 the record confidentially and we'll mark it as  
7 confidential.

8 MS. UWABERA: Quinn, I'm going to  
9 object.

10 MR. RALLINS: I understand.

11 MS. UWABERA: You didn't --

12 MR. RALLINS: I understand.

13 MS. UWABERA: You didn't duces tecum him  
14 so this is testimony. So if he doesn't have  
15 the records present in front of him and you  
16 didn't ask him to produce it, I would object.

17 MR. RALLINS: I understand your objection.  
18 I'm going to ask him to do it and we'll mark it  
19 as confidential.

20 BY MR. RALLINS:

21 Q You -- you -- you are familiar with Joe Nosalik who  
22 served -- who was over internal affairs at the  
23 Kenosha Police Department?

24 A Yes. And there's a lot of hard -- there's a lot of  
25 interesting names. Joe Nosalik, yes.



1 A Okay. So I'm -- I found it easily yesterday and now  
2 I'm having trouble, but just give me one second.

3 Q No problem.

4 A Okay. Now -- I guess just to be blunt with you,  
5 Attorney Rallins, I'm doing this just to -- just to  
6 save time later, otherwise I'd probably tell you the  
7 same thing, that I'm not going to look for  
8 something; but I'm hoping you show me some grace  
9 later on. I don't want to get in huge --

10 Q Sure. I want to -- yeah, sure. The -- I don't --  
11 you know, I don't want to have to call the judge.  
12 So I'd just rather --

13 A No, no, I know. So this is, I believe, a Kenosha  
14 Police Department issued phone and I have it listed  
15 as Chief Larsen, which I believe it was Miskinis's  
16 before, and that phone number when you are ready.

17 Q Okay. Go ahead.

18 A 262 --

19 Q Okay.

20 A -- 220-8199.

21 Q 262-220-8199?

22 A That is correct, yes.

23 Q Okay. All right. We can move on. And this is the  
24 phone number that you recall communicating with  
25 Chief Miskinis on prior to the Kenosha Protest,



1 correct?

2 A I believe so, although I only have text messages  
3 with Chief Larsen because I believe I got a new  
4 phone in that time period.

5 Q Okay. And --

6 A So the last message I have -- or the oldest message  
7 I have was from September 21, 2022.

8 Q Okay. That's the oldest message you have with Chief  
9 Larsen?

10 A That's correct.

11 Q Okay. Do any of these messages that you still have  
12 with Chief Larsen relate to the Kenosha Protest?

13 A No.

14 Q Okay.

15 A Not to my knowledge, no.

16 Q Okay. Like I said --

17 A I'm sorry.

18 Q I don't need you to look right now.

19 A Okay.

20 Q But thank you. All right. So I want to talk about  
21 August 23, 2020, the day of the Jacob Blake  
22 shooting, okay?

23 A Okay.

24 Q When did you first learn of the Jacob Blake  
25 shooting? Or strike that. How did you first learn



1 arrive?

2 MS. UWABERA: Object to form, foundation.

3 A I know it was -- it was light out and I know it was  
4 later in the afternoon or early in the evening.

5 BY MR. RALLINS:

6 Q Okay.

7 A And I was home well before any of the continued  
8 rioting, looting and arson started back up.

9 Q Did you go to the civic center with anyone else?

10 A Yeah, I went with a friend of mine.

11 Q Okay. Who did you go to the civic center with?

12 A His name is Aaron Petroski, A-a-r-o-n. It was a  
13 male.

14 Q And how do you spell Petroski?

15 A I would just be guessing. I'm sorry. I believe it  
16 was P-e-t-r-o-s-k-i.

17 Q Okay. And how do you know Aaron?

18 A He was a constituent of mine. When I was an  
19 alderman, he ran for local office at one point.

20 Q Okay.

21 A We became friends in that capacity and kept in  
22 touch.

23 Q When you went to the civic center on August 25th,  
24 were you armed?

25 A Yes, sir.



1 Q And what type of gun did you have?

2 A I had a Glock 22, which is a .40 caliber, and I had  
3 an AR-15 semiautomatic sporting rifle.

4 Q And was Aaron armed as well?

5 A Yes, he was.

6 Q Do you remember what type of gun he had?

7 A I believe it was an old -- an older -- I want -- I  
8 mean, it was -- it was an older firearm. It was a  
9 rifle. I can't be more specific.

10 Q Okay. And you were openly carrying your firearms,  
11 correct?

12 A Yes, sir.

13 Q And Aaron was as well, correct?

14 A Yes, sir.

15 Q Why did you go to the civic center on August 25th?

16 A Because that is where I encouraged people to meet.

17 Q And what method did you use to encourage people to  
18 meet at the civic center?

19 A Facebook.

20 Q And when you encouraged people to meet on Facebook,  
21 you used the Kenosha Guard Facebook page, correct?

22 A Yes.

23 Q After you asked people to assemble at the civic  
24 center, approximately how many people -- well,  
25 approximately how many people were there when you



1 arrived?

2 A How many total people, period?

3 Q Yes. When you first arrived.

4 A Oh, man, numerous. I wouldn't be surprised if it  
5 was 100 or more, but it was a long time ago.

6 Q Okay. And at the peak while you were at the civic  
7 center, would you say it was a few hundred people  
8 who had assembled there?

9 A Yeah, within -- within visual distance for myself,  
10 several hundred for sure. Some people were kind of  
11 outside the geographical limits of the park but --

12 Q Okay.

13 A Hundreds.

14 Q And when you were in the -- at the -- at Civic  
15 Center Park, did -- when you say civic center, we're  
16 talking about Civic Center Park, correct?

17 A Correct. It's directly south of the courthouse.

18 Q Okay. And while you were in -- at Civic Center  
19 Park, did any officers from the Kenosha Police  
20 Department communicate with you?

21 A Not to my knowledge, no. I really don't remember  
22 seeing any officers other than I may have seen one  
23 or two, like, on the roof of the courthouse but --

24 Q Okay.

25 A I certainly wasn't -- didn't communicate with any





1 officers and I don't even believe I saw any -- if I  
2 did, it would have been one or two on top of the  
3 courthouse.

4 **Q Okay. But no law enforcement officers came up to**  
5 **you and spoke to you while you were at the civic**  
6 **center, to your knowledge?**

7 **A** To my knowledge, no. I know there was -- you know,  
8 that's why I say to my knowledge, because I know  
9 there was undercover police officers --

10 **Q Right.**

11 **A** -- and federal agents. So was it possible that I  
12 did with not knowing, yeah; but I -- I -- certainly  
13 not any uniformed police officers.

14 **Q Okay. No law enforcement officers to your**  
15 **knowledge -- strike that. No law enforcement**  
16 **officers tried to arrest you for encouraging people**  
17 **to go to the civic center?**

18 MS. UWABERA: Object to form.

19 **A** No. Never. Nor would I have expected it. I didn't  
20 do anything illegal.

21 BY MR. RALLINS:

22 **Q Sure. Did you observe any law enforcement officers**  
23 **make arrests of anyone at the Civic Center Park**  
24 **while you were there on August 25th?**

25 **A** No, sir.



1 A That's correct.

2 Q On the night of -- well, strike that. When you were  
3 traveling in the City of Kenosha during the  
4 restricted hours of the curfew order, did you  
5 believe that you were in violation of the curfew  
6 order?

7 A I know that the curfew order was judicially deemed  
8 to not be valid. I know that now. I didn't know  
9 that then. Does that answer your question?

10 Q Sure. At the time -- during the time of the -- I'm  
11 not trying to ask a trick question.

12 A Sure.

13 Q You're not a defendant in this case, you know that,  
14 correct?

15 A Sure, sure, sure. Yeah.

16 Q At the time of the -- and I've asked this question  
17 of many folks who have been -- or witness -- were  
18 deposed in this case.

19 A Sure.

20 Q During the time of the curfew order -- strike that.  
21 You knew there was a curfew order and because there  
22 were things that you sought to do, including  
23 protecting the -- the pawnshop, you were out  
24 although there may -- it was -- you knew it was in  
25 violation of the hour -- restricted hours of the



1 **curfew order, fair?**

2 MS. UWABERA: Object as to form.

3 A I'll answer it this way. Let me know if you need me  
4 to explain. I know that there were -- there were  
5 officials that had made a curfew order; but I  
6 wasn't -- I wasn't explicitly clear on the details  
7 of who was exempt, who was not. So I -- I don't  
8 know if -- if I can tell you if I violated anything  
9 as we sit here; but I was out in public during the  
10 time when certain government officials said we could  
11 not be out in public. Does that answer your  
12 question?

13 BY MR. RALLINS:

14 **Q Sure.**

15 A Okay.

16 **Q And do you recall -- strike that. Nosalik was also**  
17 **the public information officer, correct?**

18 A Correct. He was the public information officer and  
19 the commander of the internal affairs division.

20 **Q Okay. Do you recall anyone from the Kenosha Police**  
21 **Department or Kenosha sheriff's office making it**  
22 **plain to you any exemptions for the curfew order?**

23 A No, sir.

24 **Q That includes public statements and the news, is**  
25 **that correct?**



1 A As far as I know, I -- I -- I was not contacted or  
2 given any information from law enforcement about any  
3 exemptions.

4 Q Okay. And you don't recall any exemptions being  
5 expressed publicly at press conferences or  
6 statements?

7 A Now that you say that, I -- I remember -- I remember  
8 there being -- I remember learning from somewhere  
9 that there was a media exemption; but, of course, as  
10 we established before, I was not a member of the  
11 media at that time.

12 Q Okay.

13 A But I know that media were allowed to be there.

14 Q Okay. Do you recall any other exemptions aside from  
15 media?

16 A No, sir.

17 Q Okay. Now, I know that you -- strike that. You're  
18 aware that dozens of people were arrested  
19 exclusively for violating the curfew order,  
20 correct?

21 A Yes, I'm aware of that. Yup. Yes, sir.

22 Q Did anyone -- strike that. Throughout the protest,  
23 did any law enforcement officer tell you that you  
24 were breaking the law?

25 A No.



1 made -- she made a complaint to police saying that  
2 I -- I was a co-conspirator to murder; and I became  
3 aware of her complaint and I asked for a copy of her  
4 police report and everything that she gave me and  
5 then Nosalik butchered the public records law and  
6 said it put her life at risk if he gave me these  
7 documents; and after threatening to sue them, they  
8 ended up giving me the documents.

9 **Q And in this letter he denies -- he denies the**  
10 **request, correct?**

11 A Correct, yup.

12 **Q And prior to denying the request, he gives his**  
13 **reasonings, correct?**

14 A Yeah, he didn't write this. This was written by an  
15 attorney at the City.

16 **Q And -- but he signs it, correct?**

17 A Correct. Yup.

18 **Q And the letter that he signs, it states, it is my**  
19 **understanding that you are the commander of the**  
20 **Kenosha Guard, correct?**

21 A Correct. That's what it says.

22 **Q He's referring to -- when he says you, he's**  
23 **referring to you, Mr. Mathewson, correct?**

24 A That's correct.

25 **Q Okay. And he states that you have administered at**



1 page --

2 A Can you go up a little bit more? I'm sorry.

3 Q Sure. We're going to start right here.

4 A Okay. I don't believe that's mine. Yeah, that is  
5 me.

6 Q All right. What is -- do you recognize this -- this  
7 document?

8 A Actually, I -- I don't know. I don't recognize it  
9 because it says June 2nd.

10 Q Sure. June 2nd, which would be the -- George Floyd  
11 died on -- I forget the exact date, but May of '20.

12 A Okay.

13 Q So you talked about protest and activity on June  
14 2nd, and do you recall starting this Facebook event  
15 to assemble people at Civic Center Park on  
16 June 2nd?

17 A Yeah, so I -- I don't recognize this but I also  
18 don't dispute it either.

19 Q Okay. And here it states this event is being hosted  
20 by Kenosha Guard, correct?

21 A Yes.

22 Q Do you recognize that -- that image with -- well,  
23 let me ask you. The image of the Kenosha Guard  
24 Facebook page, it is a individual who has a finger  
25 pointing down, correct?



1 A Yes.

2 Q Okay. And that's the same image on this Facebook  
3 event posting, correct?

4 A I believe, yeah. I believe so, yes.

5 Q Okay. At any rate, it states this is our city.  
6 Come and peacefully assembly?

7 A Bad grammar there; but yes, that says that.

8 Q Okay. And it says come armed, correct?

9 A Correct.

10 Q And it states that we will not let -- I think it  
11 means our -- it says we will not let out of state  
12 bad guys destroy the city that we love, correct?

13 A Oh, so that one I did -- yeah, correct. I guess  
14 that one is not grammatically incorrect,  
15 fortunately.

16 Q And you're not going to dispute that you created  
17 this Facebook event, do you?

18 A Right. I don't -- I don't recognize it but it looks  
19 like something that I posted, yes.

20 Q Okay. And at the top it has an image of a snake,  
21 don't tread on me, correct?

22 A Yes.

23 Q And the -- the purpose of the event is to be  
24 peaceful but armed --

25 A Um-hum.



1 Q -- and to assemble to deter looting and rioting,  
2 correct?

3 A That's correct.

4 Q And according to this Facebook page, it asks people  
5 to assemble between the hours of 4:30 p.m. and  
6 10:00 p.m. at Civic Center Park across from the  
7 courthouse, correct?

8 A Correct.

9 Q And we have another Facebook post that appears to be  
10 a protest for peaceful social disruption in honor of  
11 George Floyd entitled it's time to do something,  
12 correct?

13 A Yes, I see that.

14 Q Okay. And it is around the same time -- strike  
15 that. It's on the same date, June 2nd within the  
16 hours of 5:30 p.m. and 6:00 p.m., according to this  
17 Facebook post, correct?

18 A That is correct, yup.

19 MS. WISCO: Just for the record, is this  
20 2020? We're talking about June --

21 MR. RALLINS: Yes. June 2, 2020.

22 MS. WISCO: Okay.

23 BY MR. RALLINS:

24 Q And just to Natalie's point, the Facebook page  
25 states that the event is supposed to take place on





1 A So, again, there's 250 -- around 250 sworn law  
2 enforcement officers. If you asked all of them what  
3 they thought of me, you'd probably get half of them  
4 that hate my guts and half of them that -- that  
5 liked me.

6 My -- my relationship with Nosalik was poor.  
7 My relationship with the Chief was medium, neutral  
8 because, you know, I think -- I think -- you know,  
9 like I explained to you a couple days ago, when I  
10 was an alderman, I hated nothing more than when cops  
11 did -- when they abused their authority. So I held  
12 them accountable. So that made some cops not like  
13 me but it made the good cops happy because their  
14 colleagues would get called out for doing bad stuff  
15 and making them all essentially look bad.

16 BY MR. RALLINS:

17 Q Sure. Okay. All right. I'm pulling up a --  
18 another exhibit. It doesn't have a Bates stamp  
19 number on it either.

20 (Exhibit Number 5 was marked for  
21 identification.)

22 BY MR. RALLINS:

23 Q This is another e-mail from Nosalik to you. The --  
24 a few days later on June 8, 2020 at 9:40 a.m.,  
25 correct? Is that fair?



1 A Yes. And I don't remember or recognize this; but I  
2 don't dispute it. I'm sure it's authentic.

3 Q Sure. According to Nosalik, he asked if you had any  
4 free time today to meet with him and he wanted to  
5 meet somewhere outside other than his office,  
6 correct?

7 A Yes.

8 Q Okay. And do you recall that meeting with  
9 Nosalik?

10 A No, but I'm looking at my Google calendars, we  
11 met -- I scheduled a meeting on my calendar for  
12 12:30.

13 Q Okay. Do you recall where -- does it say where it  
14 was?

15 A It does not say where and I don't remember where.

16 Q Okay.

17 A But it probably would have been at a coffee shop in  
18 public somewhere.

19 Q Um-hum. Okay.

20 A So it was that same day that we met.

21 Q Sure. And during that meeting, did Nosalik bring  
22 up -- strike that. During that meeting, did Nosalik  
23 raise the issue of the Kenosha Guard at that  
24 point?

25 A No. And we met at Common Grounds coffee shop.



1 Q Okay.

2 A I don't know if that's -- if that's permissible to  
3 you but I'm just trying to get you --

4 Q No, that's fair. I know it's Coffee Grounds coffee  
5 shop. It's helping me not go through every single  
6 exhibit. Now you do recall it was at Coffee  
7 Grounds -- Coffee Grounds coffee shop, correct?

8 A I don't recall but I'm looking -- just looking at an  
9 e-mail that that's where we agreed to meet.

10 Q Okay. And if he had brought up the Kenosha Guard at  
11 that meeting, you would recall it, correct?

12 A Absolutely.

13 MR. RALLINS: We'll make this Exhibit 6.

14 (Exhibit Number 6 was marked for  
15 identification.)

16 BY MR. RALLINS:

17 Q It's an e-mail from Joseph Nosalik -- it's part of  
18 the e-mail exchanges between Joseph Nosalik and you  
19 on June 8th and it states that -- according to this  
20 e-mail, Nosalik suggests you all meet at Common  
21 Grounds coffee shop, correct?

22 A Yes. And this is an authentic e-mail. I just  
23 reviewed it on my own.

24 Q Okay. You have no reason to dispute this e-mail,  
25 correct?



1 A No, it's a true and accurate depiction of an e-mail  
2 exchange.

3 Q Okay. All right. And we'll make this Exhibit 6.  
4 Why don't you think Nosalik ever asked you about the  
5 Kenosha Guard?

6 MS. UWABERA: Object to form, foundation.

7 A I have no way to know. I've never -- I've -- he's  
8 never told me why he didn't and I have no guess as  
9 to why.

10 MR. RALLINS: This is Exhibit 7, is that  
11 where we at?

12 COURT REPORTER: Yes.

13 (Exhibit Number 7 was marked for  
14 identification.)

15 BY MR. RALLINS:

16 Q Here is another e-mail a few days after the  
17 coffee -- the meeting at the Coffee Grounds, and  
18 according to this it's -- it's an e-mail -- sorry.  
19 Let's see. Share. Okay. Okay. Okay. According  
20 to this, on June 16, 2020 at 8:01 a.m., Nosalik is  
21 sending you an e-mail, correct?

22 A It looks like it, yeah.

23 Q And according to this e-mail, he is contacting you  
24 on his day off, correct?

25 A That's what it says, yes.



1 situated here in Kenosha County.

2 **Q Prior to the Kenosha Protest, you had received**  
3 **direct e-mails from Chief Miskinis, correct?**

4 A Many times.

5 MS. UWABERA: Object to form.

6 A I'm sorry. The answer is yes, many times.

7 MR. RALLINS: We'll make the chat message  
8 Exhibit 8. I'll send that.

9 (Exhibit Number 8 was marked for  
10 identification.)

11 MR. RALLINS: And then we're on Exhibit 9.

12 (Exhibit Number 9 was marked for  
13 identification.)

14 BY MR. RALLINS:

15 **Q All right. Can you see my -- the document, sir?**  
16 **Can you -- are you able to see this, sir?**

17 A Yeah, I can see it. Yup.

18 **Q And this is one such e-mail sent from Dan Miskinis**  
19 **to you on June 17, 2020 around noon, correct?**

20 A It looks like it, yes.

21 **Q And from the e-mail tone, he appears to be upset**  
22 **with you, correct?**

23 A Oh, very much, yes.

24 MS. UWABERA: Form, foundation.

25 A Very much so, yes.



1 And that's not meant to be a slight but, you  
2 know, I've litigated many, many cases pro se dealing  
3 with attorneys. I'm very, very familiar with that  
4 law and that's why when I threaten to sue, more  
5 times than not they'd just give it to me because  
6 they knew they'd win -- or they'd lose, sorry.

7 **Q At any rate, the day after Miskinis expresses**  
8 **discontent with you, Nosalik tells Jeremy DeWitt**  
9 **he'll take care of your records -- your request for**  
10 **documents, correct?**

11 A Correct. And then I -- sorry, there's no question.  
12 Sorry.

13 **Q No. Go ahead.**

14 A I was just going to say, and then a few days  
15 later -- or that same day I was provided with that  
16 e-mail. So, you know, Miskinis's wild tangent was  
17 proven to be false that same day when I was given  
18 that report.

19 **Q Sure.**

20 A I'm just trying to -- I'm just trying to defend my  
21 integrity, that's all.

22 **Q Sure. Now, I could go through every e-mail; but**  
23 **between June of 2020 and the Kenosha Protest, you**  
24 **had engaged in dozens of e-mail exchanges with**  
25 **Nosalik and the Chief, correct?**



1 A Probably, yeah.

2 Q You don't have any reason to dispute that, do you?

3 A No, not at all. I was in constant communication  
4 with them.

5 (Exhibit Number 11 was marked for  
6 identification.)

7 BY MR. RALLINS:

8 Q And you had communications with them up until the  
9 protest, including on August 21, 2020 according to  
10 this e-mail exchange, correct?

11 A Yup.

12 Q And according to this -- according to this e-mail  
13 exchange, Nosalik is going to go back and work with  
14 the company to redo a records request for you,  
15 correct?

16 A Yeah. And this was -- this was me working on behalf  
17 of a client and an attorney.

18 Q Okay. Thanks for the clarification.

19 A Sure.

20 MR. RALLINS: I don't expect to go much  
21 longer. Why don't we take a quick five-minute  
22 break if that works for everybody.

23 THE WITNESS: Sure.

24 THE VIDEOGRAPHER: Sounds good. Give me a  
25 second to get us off the record. Going off the



1 Q All right. All right. According to -- and this is  
2 an e-mail that you wrote to Chief Miskinis on  
3 August 25, 2020 at 5:42 p.m., correct?

4 A It looks like it, yes.

5 Q Okay. The e-mail -- according to the e-mail, it  
6 states, "Chief Miskinis, as you know I am the  
7 commander of the Kenosha Guard, a local militia. We  
8 are mobilizing tonight and have about 3,000 RSVP's.  
9 We have volunteers that will be in uptown, downtown  
10 and at the entrances to other neighborhoods. Our  
11 effort has made national media." And it provides  
12 a -- a -- an -- a website that references an  
13 article. Am I reading that right?

14 A Yes, you are.

15 Q Then it states, "I ask that you do not have your  
16 officers tell us to go home under threat of arrest  
17 as you have done in the past. We are willing to  
18 talk to KPD and open a discussion. It is evident  
19 that no matter how many officers, deputies, and  
20 other law enforcement officers that are here, you  
21 still -- you will still be outnumbered. Thank you.  
22 Kenosha Guard Commander, Kevin Mathewson", and then  
23 it provides your cell phone number, fax number and  
24 e-mail. Did I read that right?

25 A You did.





1 that's fair.

2 **Q Sorry, just bear with me.**

3 MR. RALLINS: Are we at Exhibit 16?

4 COURT REPORTER: Yes.

5 MR. RALLINS: Okay.

6 BY MR. RALLINS:

7 **Q All right. Can you see my screen?**

8 A Not yet, sir.

9 **Q There we go.**

10 (Exhibit Number 16 was marked for  
11 identification.)

12 BY MR. RALLINS:

13 **Q All right. Can you see my screen?**

14 A Yes, I can.

15 **Q Okay. Do you recognize this -- the individuals in  
16 this photo?**

17 A Yeah. I don't know -- the guy on the right is me 95  
18 pounds ago. The guy on the left, I don't know him  
19 but I -- I spoke with him briefly that night.

20 **Q And this is a photo of you at Civic Center Park on  
21 August 25, 2020, is that fair?**

22 A That is fair, yup.

23 **Q And the -- the gun display -- the black gun  
24 displayed in front of you is the assault rifle that  
25 you mentioned earlier, correct?**



1 A I don't use terms like assault rifle. Those are  
2 meant to politicize things. It's just a sporting  
3 rifle. One pull of the trigger, one bullet, just  
4 like any other rifle that people use for hunting or  
5 anything. But it's an AR-15 style semiautomatic  
6 rifle.

7 Q When people see it, they often refer to it as an  
8 assault rifle, is that fair?

9 A Usually people on the left, but assault rifle would  
10 be like a fully automatic.

11 Q Sure.

12 A Like a machine gun. One pull of the trigger,  
13 several rounds.

14 Q Okay. That's Exhibit 16.

15 (Exhibit Number 17 was marked for  
16 identification.)

17 BY MR. RALLINS:

18 Q All right. Can you see my screen?

19 A Yes, I can.

20 Q Okay. This is a document that shows a -- a Facebook  
21 post by you, this is dated August 25th at 5:32 p.m.,  
22 correct?

23 A Yes.

24 Q It states beautiful out tonight. Stay safe  
25 everyone?



1 cutter suburban neighborhoods by me, every single  
2 entrance had multiple citizens armed and, you know,  
3 when I moved in to -- to this neighborhood I'm  
4 sitting in right now, some of my democrat friends,  
5 you know, texted me and said oh, we got -- we got a  
6 conservative in the neighborhood, LOL. You know, I  
7 get along with my democrat friends just as well as  
8 my republican friends; but that night there was no  
9 democrats and republicans. There were people that  
10 were afraid.

11 So I got text messages and phone calls from my  
12 democrat friends saying, you know, we're happy that  
13 people were out there watching the entrances to our  
14 neighborhoods. Because our neighborhoods were  
15 tip -- were specifically threatened online because  
16 they viewed these neighborhoods as where rich people  
17 live. So, you know, we -- we -- we were in a real  
18 scary time. You know, like I said, three blocks  
19 from where my kids were born, houses were -- were  
20 burnt to the ground. And so it struck a nerve with  
21 me. I was -- I was ticked off that these people  
22 were out there looking to cause harm.

23 **Q Were -- you weren't asked directly by -- strike**  
24 **that. Throughout the protest, you weren't asked --**  
25 **strike that. Throughout the Kenosha Protest you**



**Q Would you describe the Kenosha Guard as a militia?**

A Not really. I mean, a militia would be something with organization with members. This was more of -- and I think I said during an interview with like the BBC or one of those the morning after this and I said yeah, it was a militia; but now that I really know what is and what it is not, it was a Facebook event and it was a Facebook page with no leadership, no organization. It doesn't meet any definition of militia that I've ever seen since.

**Q And how would you define militia?**

A A militia would be a group of people with a common purpose that has organization, that has meetings, that has structure. Usually defined as, you know, something like back during the formation of this country to fight against what people believe is a tyrannical government; and that -- obviously that wasn't the intent of the page. The intent was just to encourage people to defend themselves.

**Q Would you describe it as a vigilante group?**

A Not even close, no. And it -- you know, I was very clear when I said, you know, peaceful, peaceful, defense, deter, deterrence.

**Q You were asked about a photograph of you in some kind of Army fatigue shorts. Do you recall that**



1 **line of questioning?**

2 A Yeah, those were just -- they looked Army fatigue  
3 but they were just camouflage cargo shorts and the  
4 red Chuck Norris shirt that says Chuck Norris uses  
5 pepper spray on his steak. Sorry, I had to get that  
6 in there but -- and yeah, I was with my friend Aaron  
7 who was a Marine Corps veteran.

8 **Q Would you say that your dress was somehow indicative**  
9 **of some sort of parliamentary organization?**

10 A Not at all. It was just a -- just a chubby guy  
11 going out in what I had on at the time and that was  
12 it.

13 **Q So you didn't have any written bylaws you testified,**  
14 **correct?**

15 A Nothing -- there was no structured organization.  
16 The only thing was the page itself.

17 **Q The only way to really know who is a member, we'd go**  
18 **through your friends list on the group. Can you at**  
19 **least explain to me how the group worked?**

20 A So the group would work where you can like it. So  
21 it's -- it would be called Kenosha Guard and you  
22 click like on it. Back then it was likes only. Now  
23 they have follow or like or both. Back then it was  
24 just a like.

25 So I think there was four likes at the time

